

EXHIBIT C

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANIBAL RODRIGUEZ, JULIEANNA
MUNIZ, ELIZA CAMBA, SAL CATALDO,
EMIR GOENAGA, JULIAN SANTIAGO,
HAROLD NYANJOM, KELLIE NYANJOM,
AND SUSAN LYNN HARVEY,
INDIVIDUALLY AND ON BEHALF OF ALL
OTHERS SIMILARLY SITUATED,

PLAINTIFFS,

vs.

NO. 3:20-CV-04688

GOOGLE LLC,

DEFENDANT.

_____ /

VIDEOTAPED DEPOSITION OF SUSAN HARVEY

VIA REMOTE COUNSEL VIDEOCONFERENCE

THURSDAY, OCTOBER 27, 2022

VOLUME I

STENOGRAPHICALLY REPORTED BY:

MEGAN F. ALVAREZ, RPR, CSR No. 12470

JOB NO. 5516967

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1		09:06:03
2	SUSAN HARVEY,	09:06:03
3	called as a witness by the Defendant, having	09:06:03
4	been first duly sworn, was examined and	09:06:03
5	testified as follows:	09:06:23
6	--o0o--	09:06:23
7	EXAMINATION	09:06:24
8	BY MR. MATEEN:	09:06:24
9	Q. Good morning, Ms. Harvey. My name is	09:06:25
10	Harris Mateen. I'm here representing Google in this	09:06:27
11	matter. I'll be taking your deposition today.	09:06:30
12	Have you been deposed before?	09:06:35
13	A. No.	09:06:36
14	Q. No.	09:06:37
15	So, in that case, I'd like to go over some	09:06:38
16	ground rules so we're on the same page.	09:06:40
17	Does that sound fair?	09:06:42
18	A. Yes.	09:06:43
19	Q. So I will be asking the questions. My	09:06:43
20	questions and your answers will be taken down by the	09:06:50
21	court reporter, and the videographer will record the	09:06:55
22	proceedings.	09:06:58
23	You understand that you need to speak up	09:06:58
24	so the reporter can hear your answers, correct?	09:06:59
25	A. Yes.	09:07:01

1 THE WITNESS: Okay. 09:23:04

2 MR. LEE: All right. We're all set. 09:23:06

3 Sorry about that. 09:23:07

4 MR. MATEEN: All right. No worries. 09:23:09

5 BY MR. MATEEN: 09:23:18

6 Q. Ms. Harvey, do you recognize this 09:23:18

7 document? 09:23:21

8 A. Let me see. Actually, no, I don't. The 09:23:23

9 attorneys never gave it to me. 09:23:26

10 Q. So, Ms. Harvey, this is the first amended 09:23:31

11 complaint in your lawsuit filed against Google on 09:23:36

12 September 30, 2015. 09:23:40

13 A. Uh-huh. 09:23:43

14 Q. You haven't seen this document before? 09:23:44

15 A. No. They -- they did a lot of things, and 09:23:45

16 they didn't give me the document until after the 09:23:47

17 fact. 09:23:49

18 Q. So you did not authorize this complaint 09:23:58

19 against Google before it was filed? 09:24:01

20 A. No. I -- I told them I wanted something 09:24:03

21 done, but I just went to them. They -- they told me 09:24:05

22 who they were filing against. 09:24:08

23 Q. So can you tell me broadly when you first 09:24:15

24 went to the attorneys in this lawsuit? 09:24:21

25 MR. LEE: And -- 09:24:26

1	A.	I turned it off years ago. Yes.	11:04:42
2	Q.	And what did Google do with that	11:04:48
3		information?	11:04:50
4	A.	They used it for their own benefit.	11:04:51
5	Q.	How did they use it for their own benefit?	11:04:54
6	A.	I can't speculate what was it actually	11:04:57
7		used for. That's not for me to decide.	11:04:59
8	Q.	How do you know it was used at all?	11:05:19
9	A.	After speaking with my attorney.	11:05:21
10	MR. LEE:	Okay. So that's good. You can	11:05:23
11		say that, but I don't want you to get into the	11:05:25
12		substance of any discussions you've had with your	11:05:27
13		attorney.	11:05:28
14	THE WITNESS:	Yeah, after speaking with my	11:05:30
15		attorney.	11:05:31
16	BY MR. MATEEN:		11:05:33
17	Q.	Outside of any discussion you've had with	11:05:43
18		your attorneys, do you have any reason to believe	11:05:44
19		that Google has used your information collected when	11:05:46
20		the Web & App Activity toggle was off?	11:05:52
21	A.	I think that would be a question for	11:05:55
22		Google, wouldn't it?	11:05:57
23	MR. MATEEN:	I just want to be clear. Are	11:06:26
24		you not going to permit her to testify as to the	11:06:28
25		basis of her knowledge of what Google did in this	11:06:31

1 Q. Ms. Harvey, I'm -- I'm just trying to 11:52:56
2 figure out -- 11:52:57
3 MR. LEE: Let him ask his next question. 11:53:08
4 THE WITNESS: Okay. 11:53:11
5 BY MR. MATEEN: 11:53:12
6 Q. Do you recall if you have had any contacts 11:53:35
7 with attorneys other than your attorneys in this 11:53:41
8 lawsuit and in your 2015 lawsuit against Google? 11:53:46
9 MR. LEE: Objection to form. Asked and 11:53:51
10 answered several times. 11:53:52
11 BY MR. MATEEN: 11:53:54
12 Q. You can answer. 11:53:55
13 A. I -- I don't quite understand. This is 11:53:56
14 the only time I contacted Boies Schiller. I saw an 11:53:59
15 article that said that they had a case. I looked up 11:54:04
16 their name, and I called them. 11:54:07
17 I never knew the button didn't work up 11:54:14
18 until we started having discussion. 11:54:18
19 Q. Ms. Harvey, thank you. I'm not asking 11:54:25
20 about your contacts with Boies Schiller. I'm asking 11:54:26
21 if you've had contacts with any attorneys in 11:54:28
22 reference to any company other than this case here. 11:54:31
23 MR. LEE: Mr. Mateen, I think the 11:54:46
24 confusion is we spent two hours talking about a 11:54:47
25 prior lawsuit. I assume you're excluding that. 11:54:50

CERTIFICATE OF REPORTER

I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were administered an oath; that a verbatim record of the proceedings was made by me using machine shorthand, which was thereafter transcribed under my direction; and that the foregoing is an accurate transcription thereof.

Further, that if the foregoing pertains to the original transcript of a deposition in a federal case, before completion of the proceedings, review of the transcript [X] was [] was not requested.

I further certify that I am neither financially interested in the action, nor a relative or employee of any attorney of any party to this action.

IN WITNESS WHEREOF, I have this date subscribed my name.

DATED: November 11, 2022



MEGAN F. ALVAREZ

CSR No. 12470, RPR